REMARKS

Claims 33-44 and 46 are currently pending. Claims 33 and 46 are independent claims. Claims 33 and 46 are amended herein.

The Applicant respectfully requests reconsideration of the outstanding rejections and passage of the claims to allowance.

I.   Procedural History

Claims 33-44 and 46 were rejected in an office action dated September 8, 2006 as being anticipated under 35 USC § 102(c) by Dunlavey (U.S. Patent No. 6,937,257), hereinafter "Dunlavey." Applicant appealed the rejection of September 8, 2006. The Board of Patent Appeals and Interferences affirmed the rejection of claims 33-44 and 46 in a decision that was handed down on March 15, 2010. Applicant is concurrently filing herewith a Request for Continued Examination in response to that decision.

II.   Summary of the Decision of the Board of Patent Appeals and Interferences

In the Decision handed down by the Board of Patent Appeals and Interferences (hereinafter "the Board") on March 15, 2010, the Board addressed five statements by the Examiner that identify where the Examiner believed Dunlavey taught "pooling together like non-interfaced run-time block parameters to reuse data for the like non-interfaced run-time block parameters." The Board sided with the Applicant on four of the statements but held that the fifth statement constituted an anticipatory disclosure. In particular, the Board pointed to the Examiner's statement, on page 12 of the decision:

> Furthermore there are representations of variables that are pooled together, the variables being non interface variables. These include global variables which have one instance but can be retrieved and reused multiple times within a procedure. The purpose of the global variable is to provide one definition, with the variable being accessible to multiple procedures and therefore reused multiple times. See column 10, lines 5-15.

The Board goes on to state "[a] global variable appears to meet the claim limitation of "pooling together like non-interfaced run-time block parameters to reuse data for the like non-interfaced run-time block parameters." (page 13 of the decision). The Board further states that:

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For example, each reference to the global variable X in different blocks has the same variable name and refers to the same instance in memory; therefore, the multiple references to global variable X would be "pooled" and the data would be "reused" because all references to variable X would refer to the same data in memory. Global variables can be set by users in the procedure blocks in Dunlavey, col. 10, ll. 5-10, so these are "user-defined block parameters." For these reasons, we find that Dunlavey teaches "pooling together like non-interfaced run-time block parameters to reuse data for the like non-interfaced run-time block parameters."

The Board further elaborates:

In addition, it appears that the claims are directed to what is normally done when programs having variables are compiled. As we understand Dunlavey, the equations in the separate blocks (502, Fig. 5) are combined and converted to a program in a high-level language (516, Fig. 5; col. 19, ll. 42-65) and this source code is compiled and linked (518, Fig. 5; col. 22, ll. 18-23). "In this embodiment, all of the variables are global variables." Col. 22, l. 24. Thus, the variable X occurring in different blocks is found throughout the final program. When programs are compiled, as was well known to those of ordinary skill in the compiler art, each variable in the program is represented by a single memory address. Thus, it seems that all references to variable X from the various blocks in the compiled program are "pooled" because all references refer to a single memory location. This reasoning is in addition to the reasoning about global variables.

III.   Rejection of Claims 33-44 and 46

Claims 33-44 and 46 stand rejected under 35 USC § 102(e) as being anticipated by Dunlavey. Applicant respectfully traverses this rejection.

The amended claim 33 reads as follows:

A computer-implemented method of mapping graphical block diagram block parameters in a graphical block diagram modeling environment, comprising:
receiving a plurality of user-defined block parameters;
processing the plurality of user-defined block parameters to produce a plurality of run-time block parameters;
processing the run-time parameters values to identify block-specific non-interfaced run-time block parameters that have like values; and
pooling together the identified non-interfaced run-time block parameters that have like values to reuse data for the non-interfaced run-time block parameters.

Dunlavey fails to anticipate claims 33-44 because Dunlavey fails to disclose "**processing the run-time block parameters to identify block-specific non-interfaced run-time block parameters that have like values**," as recited in these claims. With the global variables of Dunlavey, there is no processing of the run-time block parameter values to identify the like valued block-specific non-interface run-time block parameters. Any use of a global variable is known beforehand to refer to a single value stored for that global variable. There is no processing to determine what non-interfaced run-time block parameters have like values.

Moreover, claim 33 has been amended to recite that the identified like non-interfaced run-time block parameters are block-specific. They are not global. The global variables of Dunlavey do not satisfy this limiation and thus, do not anticipate claim 33 as amended.

The second position iterated by the Board is just another variant of the global variable argument where all of the variables are global variables. As has been discussed above, such global variables do not anticipate amended claim 33.

Accordingly, the applicant respectfully urges reconsideration of the rejection of amended claim 33. Claims 34-44 depend directly or indirectly off of claim 33 and, thus, incorporate all of the same subject matter of claim 33. Therefore, claims 34-44 are not anticipated by the disclosure of Dunlavey for the reasons discussed above relative to claim 33.

The amended claim 46 reads as follows:

A medium for use in a graphical modeling environment on an electronic device, the medium holding instructions executable using the electronic device for performing a method of mapping graphical block diagram block parameters, the method comprising:
receiving a plurality of user-defined block parameters;
processing the plurality of user-defined block parameters to produce a plurality of run-time block parameters;
processing the run-time parameters values to identify block-specific non-interfaced run-time block parameters that have like values; and
pooling together the identified non-interfaced run-time block parameters that have like values to reuse data for the identified run-time block parameters.

Claim 46 is a medium claim that parallels claim 33 and has been amended in a like fashion. Claim 46 contains the claim features argued above for claim 33. Claim 46 is not anticipated by the disclosure of Dunlavey for the reasons discussed above relative to amended

claim 33. Accordingly, Applicant respectfully urges reconsideration of the rejection of amended claim 46.

IV.   Conclusion

Applicant made a good faith effort to place the claim in a state for allowance. Applicant urges the Examiner to pass the claims to allowance.

Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is urged to contact the Applicant's attorney at (617) 227-7400. Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. MWS-072RCE. Any fee due is authorized to be charged to the aforementioned Deposit Account.

Dated: May 17, 2010   Respectfully submitted,

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